

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

JAMES HEMBREE,

Plaintiff,

v.

CAROLYN W. COLVIN,¹

Acting Commissioner of Social Security,

Defendant.

Civ. No. 1:24-CV-00168-GCM

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing Defendant's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant's motion, with Plaintiff's consent, to remand this case for further administrative proceedings, the Court hereby remands this case to Defendant, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings.

See Melkonyan v. Sullivan, 501 U.S. 89 (1991); *Shalala v. Schaefer*, 509 U.S. 292 (1993).

The clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Signed: December 23, 2024

SO ORDERED.



Graham C. Mullen
United States District Judge



¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).